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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
ROTH, LAURA K				
ART UNIT		PAPER NUMBER		
2852				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/554,396

Applicant(s)

KATSUYAMA, GORO

Examiner

Laura K. Roth

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2005 and 14 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/20/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Specification

The disclosure is objected to because of the following informalities:

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The brief description of the drawings should be in the form of a list, each line devoted to a different figure and ending in a period, for the sake of clarity.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

Claim Objections

Claim 24 is objected to because of the following informalities: Claim 24 recites the limitation "the storage container" in line 4. Claim 24 further fails to distinguish the preamble from the claim body and thus is rendered indefinite. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Wied (US 2,752,002).

Regarding claim 13, Wied (US 2,752,002) teaches a storage container (fig.1) comprising: a bag member made of soft material (fig.1-2, #10) and configured to store a predetermined substance (col.1, ln.15-32); a fold (fig.1, #11, #12, #14), provided on the bag member (fig.1, see #11 on #10), along which the bag member deforms into a predetermined shape and reduces in volume(fig.2-3), due to any one of when external pressure is applied to the bag member (fig.2, if hand presses on #23, will deform to fig.3 shape), when internal pressure of the bag member reduces, or when volume of the stored substance reduces; and a grasp guiding unit that guides a user about a position of grasping the bag member (fig.2, #23, see hand), and that is provided on an outer peripheral surface of the bag member (fig.1-2, see #23 on #10).

Regarding claim 14, Wied (US 2,752,002) teaches a storage container wherein the bag member is a polyhedral member having at least three surfaces (fig.1, see #19, surface opposite #19, #16/17, surface opposite #16/17, and #18), and the fold is formed so that one of the three surfaces on which the fold is formed is bent toward an inside of the bag member (fig.1, see #11 & #12 on #16/17).

Regarding claim 15, Wied (US 2,752,002) teaches a storage container wherein the grasp guiding unit is a mark to indicate the user of a position of placing a finger at a time of grasping the bag member (col.2, ln.26-28).

Regarding claim 16, Wied (US 2,752,002) teaches a storage container wherein the mark is one of a recess or a hole formed in a sheet member that is one of a sheet member provided on an outer peripheral surface of the bag member or a sheet member formed integrally with the bag member (col.2, ln.23-26), wherein the sheet member has higher rigidity than the bag member (col.2, ln.18-21).

Regarding claim 17, Wied (US 2,752,002) teaches a storage container wherein the mark is a friction surface having a higher frictional coefficient with respect to the finger of the user than with respect to a surface of the bag member (col.2, ln.10-12, ln.19-21: paper vs. cardboard).

Regarding claim 18, Wied (US 2,752,002) teaches a storage container further comprising: a deformation assisting unit that assists in deformation of the bag member so that the bag member to be reduced in volume is deformed along the fold (fig.1-2, #23).

Regarding claim 19, Wied (US 2,752,002) teaches a storage container wherein the deformation assisting unit is a rigidity enhancing member that makes a part of the bag member higher in rigidity than other parts of the bag member (fig.1-2, #23 enhances rigidity).

Regarding claim 20, Wied (US 2,752,002) teaches a storage container wherein the bag member includes two flat portions facing each other (fig.1, #19 and surface opposite), and the rigidity enhancing member is a flat plate member fixed to at least a part of the flat portions (fig.1, #23 fixed along edge of #19).

Regarding claim 21, Wied (US 2,752,002) teaches a storage container wherein the rigidity enhancing member is provided on the outer peripheral surface of the bag member (fig.-2, see #22/23 in relation to #10), and the grasp guiding unit is provided on the rigidity enhancing member (fig.2, #22/23).

Regarding claim 22, Wied (US 2,752,002) teaches a storage container wherein the grasp guiding unit is provided on a largest surface of the bag member (fig.1-2, #23 is on #19).

Regarding claim 23, Wied (US 2,752,002) teaches a storage container wherein the grasp guiding unit is provided so as not to deform the fold due to pressure exerted when the user grasps the bag member (fig.1, #23 does not deform at least #14).

Claims 13-16 and 18-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwata et al. (US Pub. 2003/0012586).

Regarding claim 13, Iwata et al. (US Pub. 2003/0012586) teach a storage container (fig.12) comprising: a bag member made of soft material (fig.12, #31) and configured to store a predetermined substance (para.0073); a fold, provided on the bag member, along which the bag member deforms into a predetermined shape and reduces in volume (fig.12, between #234b and #234c; see fig.8B), due to any one of when external pressure is applied to the bag member, when internal pressure of the bag member reduces, or when volume of the stored substance reduces (para.0064); and a grasp guiding unit that guides a user about a position of grasping the bag member, and

that is provided on an outer peripheral surface of the bag member (fig.12, #234a; para.0073).

Regarding claim 14, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the bag member is a polyhedral member having at least three surfaces, and the fold is formed so that one of the three surfaces on which the fold is formed is bent toward an inside of the bag member (see fig.12 and 8A).

Regarding claim 15, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the grasp guiding unit is a mark to indicate the user of a position of placing a finger at a time of grasping the bag member (fig.12-13C, recess between #234a and 31; para.0073).

Regarding claim 16, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the mark is one of a recess or a hole formed in a sheet member (fig.12-13C, recess between #234a and 31; para.0073) that is one of a sheet member provided on an outer peripheral surface of the bag member or a sheet member formed integrally with the bag member (fig.13B or 13A), wherein the sheet member has higher rigidity than the bag member (para.0073 and para.0071).

Regarding claim 18, Iwata et al. (US Pub. 2003/0012586) teach a storage container further comprising: a deformation assisting unit that assists in deformation of the bag member so that the bag member to be reduced in volume is deformed along the fold (fig.12, #234a, and see deformation in fig.8B).

Regarding claim 19, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the deformation assisting unit is a rigidity enhancing member that

makes a part of the bag member higher in rigidity than other parts of the bag member (para.0073 and para.0071).

Regarding claim 20, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the bag member includes two flat portions facing each other (fig.12, #31 portion to which #234a is attached and wall opposite thereto), and the rigidity enhancing member is a flat plate member fixed to at least a part of the flat portions (fig.12, #234a on both sides).

Regarding claim 21, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the rigidity enhancing member is provided on the outer peripheral surface of the bag member (fig.12, see #234a on #31), and the grasp guiding unit is provided on the rigidity enhancing member (fig.12-13C, recesses between #234a and #31, para.0073).

Regarding claim 22, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the grasp guiding unit is provided on a largest surface of the bag member (fig.12, see #234a on #31).

Regarding claim 23, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the grasp guiding unit is provided so as not to deform the fold due to pressure exerted when the user grasps the bag member (fig.12, #234a works with #234b and #234c to not add rigidity so that the fold is not deformed).

Regarding claim 24, Iwata et al. (US Pub. 2003/0012586) teach an image forming apparatus (fig.5) that forms an image on a recording material using a consumable substance that is stored in a replaceable storage container (para.0050),

wherein the storage container (fig.12) includes a bag member made of soft material (fig.12, #31) and configured to store a predetermined substance (para.0073); a fold, provided on the bag member, along which the bag member deforms into a predetermined shape and reduces in volume (fig.12, between #234b and #234c; see fig.8B), due to any one of when external pressure is applied to the bag member, when internal pressure of the bag member reduces, or when volume of the stored substance reduces (para.0064); and a grasp guiding unit that guides a user about a position of grasping the bag member, and that is provided on an outer peripheral surface of the bag member (fig.12, #234a; para.0073).

Regarding claim 25, Iwata et al. (US Pub. 2003/0012586) teach an image forming apparatus wherein the consumable substance is a toner (para.0073).

Claim 17 is rejected under 35 U.S.C. 102(b) as anticipated by Iwata et al. (US Pub. 2003/0012586) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Iwata et al. (US Pub. 2003/0012586) in view of Freeman (US 4,452,381).

Regarding claim 13 and 15, upon which claim 17 depends, Iwata et al. (US Pub. 2003/0012586) teach all of the limitations as previously recited.

Regarding claim 17, Iwata et al. (US Pub. 2003/0012586) teach a storage container wherein the mark is a friction surface having a higher frictional coefficient with respect to the finger of the user than with respect to a surface of the bag member. Recesses and projections are formed by the interplay of the portion fig.12, #234 and the portion #31, these are intended to facilitate handling (para.0073) of the container and

recesses and projections invariably result in greater friction between one's fingers and the flat surface of a bag member.

However, Iwata et al. (US Pub. 2003/0012586) never explicitly states a difference in friction coefficients.

Regarding claim 17, Freeman (US 4,452,381) teaches a storage container designed to be handled (fig.1) which has a grasp guiding unit (fig.1, #52), the grasp guiding unit is a mark to indicate the user of a position of placing a finger at a time of grasping (fig.1, #52), and wherein the mark is a friction surface having a higher frictional coefficient with respect to the finger of the user than with respect to a surface of the bag member (col.4, ln.26-29).

If not already effective enough at facilitating handling, it would have been obvious to one of ordinary skill in the art at the time of invention to roughen the surface of the reinforcing unit on Iwata et al. (US Pub. 2003/0012586) as seen in Freeman (US 4,452,381) to provide a storage container that is more safely and easily utilized by increasing the coefficient of friction as a long-known means of improving handling.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura K. Roth whose telephone number is (571)272-2154. The examiner can normally be reached on Monday-Friday, 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David M Gray/
Supervisory Patent Examiner, Art Unit 2852

/LKR/
2/25/2008